

BEFORE THE FEDERAL ELECTION COMMISSION

**ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT**

MUR: 7433

Respondents: Calvin D. Turnquest for Congress (Terminated) and Olivia Outmezguine, as Treasurer, ("the Committee"), Calvin D. Turnquest¹

Complaint Receipt Date: July 19, 2018

Response Date: No response received

EPS Rating:

Alleged Statutory Regulatory Violations: 52 U.S.C. §§ 30104(b)(3)(A), (b)(4)(F); 30116(a)(1)(A), (c), (f)
11 C.F.R. §§ 104.3(a)(4)(i), (b)(4)(v); 110.1(b)(1)

Complainant alleges that she was solicited by Turnquest to make a primary election contribution of \$5,000 to his Committee in January 2014.² According to the Complaint, when Complainant learned that this amount was over the contribution limit for the primary campaign, she requested that the excessive amount be refunded, but Respondents refused. Complainant further notes that the Committee reported that it refunded \$2,000 to her in March 2014, but asserts that she never received the refund. The Committee was administratively terminated on July 21, 2016, and neither the Committee nor Turnquest responded to the complaint.

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the

¹ Calvin D. Turnquest was a 2014 candidate for the U.S. House of Representatives for Florida's Eighteenth Congressional District in the Republican primary, which he lost. Calvin D. Turnquest for Congress was his principal campaign committee.

² In the 2014 election cycle, the limit for a contribution made by an individual to a candidate was \$2,600 per election. Complainant alleges that she made two contributions in January 2014: one for \$4,500, which is reflected on the Committee's Amended 2014 April Quarterly Report, and one for \$500, which is not reflected on that report.

electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating, the modest amount at issue, and the fact that the Committee was terminated more than two years before the Complaint was filed, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

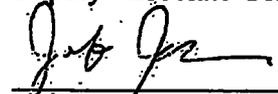
Lisa J. Stevenson
Acting General Counsel

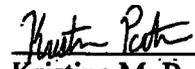
Kathleen M. Guith
Associate General Counsel

11.28.18
Date

BY:


Stephen Gura
Deputy Associate General Counsel


Jeff S. Jordan
Assistant General Counsel


Kristina M. Portner
Attorney